

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

KRISTIN M. MANNING

vs.

CASE NUMBER: 5:09-cv-88 (FJS/VEB)

COMMISSIONER OF SOCIAL SECURITY

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendation of Magistrate Judge Victor E. Bianchini is adopted in its entirety, Plaintiff's Motion for Judgment on the Pleadings is GRANTED, Defendant's Motion for Judgment on the Pleadings is DENIED and this matter is REMANDED to the Commissioner pursuant to sentence four of 42 USC section 405(g) for further administrative proceedings consistent with the Report and Recommendation.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, dated the 7th day of June, 2010.

DATED: June 7, 2010


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk